

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

[] BENTON [X] EAST ST. LOUIS [X] CONTESTED [] UNCONTESTED

MINUTES OF DISPOSITION

JUDGE: Hon. David R. Herndon, Chief Judge

U.S.A. v. Christopher Michael Horton

CRIMINAL NO.: 3:13-cr-30042-DRH-1

REPORTER: Laura Blatz

DEPUTY: Sara Jennings

DEFT. COUNSEL: Thomas C. Gabel

GOVT. COUNSEL: Ali M. Summers

DATE: March 7, 2013

TIME: 9:00 AM – 11:30 AM

X Court orders recommendation to be placed under separate seal and counsel will not have access to same.

Court's rulings on objections to pre-sentence report: No objections

Offense Level: 43

Criminal History Category: I

Sentence Range: Life

Fine Range: \$25,000 to \$250,000

Supervised Release Range: 5 years - life

Government's Witness:

1. David Vlcich 9:21 AM - 9:47 AM

Government's Exhibits

2. Page from forensic report, from note section
3. 35 page hand-written letter to friends, family & readers from defendant
4. Photo of karate studio
5. Statistical Chart from the Certification Review Branch Report

Ali Summers read victim impact statements for minors 1, 2 and 3. A victim impact statement was read by minor 4's father.

SENTENCE: 360 months on Counts 1 and 2, 360 month on Counts 3 and 4, 360 months on Count 5, all such terms to run consecutively and 360 months as to Counts 6, to be served concurrent, for a total of 1080 months, custody of the Bureau of Prisons

Defendant placed on **SUPERVISED RELEASE** for a term of: Life as to Counts 1, 2, 3, 4, 5 and 6 of the Indictment, all terms to run concurrent

CONDITIONS OF SUPERVISED RELEASE:

- Within 72 hours of release from custody of the Bureau of Prisons, the defendant shall report in person to the United States Probation Office in the district to which he is released.
- Defendant shall not commit another federal, state, or local crime.

- Defendant shall not unlawfully possess a controlled substance, and shall refrain from the unlawful use of a controlled substance. As there is no indication of recent substance abuse, the Court suspends mandatory drug testing.
- Defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- Defendant shall cooperate in the collection of DNA as directed by the probation officer.
- Defendant shall pay any fines or restitution in accordance with the Schedule of Payments.
- Defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 1690 I, et seq.) as directed by the probation office, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense.
- Due to concerns related to the defendant's mental health, the defendant shall participate in a program of mental health treatment, which may include participation in treatment for cognitive skills, or other forms of therapy or counseling that may be recommended, as directed by the probation officer. This may include a mental health assessment and/or psychiatric evaluation. This may require participation in a medication regimen prescribed by a licensed practitioner, at the direction of the probation officer. The defendant shall pay for the costs associated with services rendered, based on a Court approved sliding fee scale as directed by the probation officer. The defendant's financial obligation shall never exceed the total cost of services rendered.
- Based on the nature of the offense/defendant's history, the defendant shall permit the probation officer to have access to any personal computer and/or electronic device capable of accessing the Internet, World Wide Web, and Electronic Mail. The defendant shall also allow the probation officer or designee to conduct regular searches of his computer and/or electronic device using software monitoring devices if determined necessary by the probation officer. The defendant shall advise the probation officer of all e-mail addresses used on both public and private computers. The defendant shall consent to third-party disclosure to any employer or potential employer, concerning any computer-related restrictions that may be imposed. The defendant shall inform other residents or occupants of his home that computer systems accessed by the defendant will be subject to inspection by the probation officer and/or authorized contractor.
- Defendant shall participate in an approved sexual offender treatment program, as directed by the probation officer. If deemed necessary, the defendant shall submit to an approved, sexual-predator evaluation, as directed by the probation officer. The defendant shall abide by all rules, requirements, and conditions of the treatment program, including submission to polygraph and/or plethysmograph examination to determine compliance with the conditions of release. The defendant shall remain in the program until successfully completed, or until such time as the defendant is released from the program by the Court and/or probation officer. The defendant shall pay for the costs associated with services rendered, based on a Court approved sliding fee scale as directed by the probation officer. The defendant's financial obligation shall never exceed the total cost of services rendered.
- Defendant shall not possess or use electronic devices capable of taking photographs or videos. He shall not subscribe to any text messaging services.

- Defendant shall be prohibited from using or accessing a computer for the purpose of accessing, downloading, transferring, and/or receiving pornographic material.
- Based on the nature of the offense and defendant's history, he shall submit to a search, at any time, with or without a warrant, and by any law enforcement or probation officer, of the defendant's person and any property, house, residence, vehicle, papers, computer, other electronic communication or data storage devices or media, and effects, upon reasonable suspicion concerning a violation of a condition of supervision or unlawful conduct by the defendant, or by any probation officer in the lawful discharge of the officer's supervision functions. Failure to submit to a search may be grounds for revocation. The defendant shall inform any other residents that the premises may be subject to a search pursuant to this condition.
- Based on the nature of the offense and defendant's history, he shall not have any contact with minor males under the age of 18 unless in the presence of a responsible adult who is aware of the nature of the defendant's background and instant offense and who has been approved by the probation officer.
- Defendant shall not affiliate with, own, control, and/or be employed in any capacity by a business, organization, and/or volunteer activity that causes him to regularly contact minor males under the age of 18.
- Defendant shall provide the probation officer and the Financial Litigation Unit of the United States Attorney's Office with access to any requested financial information. The defendant is advised that the probation office may share financial information with the Financial Litigation Unit.
- Defendant shall apply all monies received from income tax refunds, lottery winnings, judgments, and/or any other anticipated or unexpected financial gains to the outstanding court-ordered financial obligation. The defendant shall immediately notify the probation officer of the receipt of any indicated monies.
- Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be paid in equal monthly installments of \$25 or ten percent of his net monthly income, whichever is greater. The defendant shall pay any financial penalty that is imposed by this judgment and that remains unpaid at the commencement of the term of supervised release.

X Defendant shall pay **RESTITUTION** in the total amount of **\$3,250**. Restitution shall be paid through the Clerk of the U.S. District Court and is due immediately. The defendant is required to notify the Court and the Attorney General of any material change in his economic circumstances that would affect his ability to pay restitution. The defendant shall notify the United States Attorney for this District within 30 days of any change of mailing address or residence that occurs while any portion of the restitution remains unpaid. Interest is waived.

X Fine is waived.

X **SPECIAL ASSESSMENT** of **\$600.00**, payable to the Clerk, United States District Court, due immediately.

X Defendant advised of right to appeal within 14 days.

X Defendant shall forfeit interest in an Apple iPhone contained in a red and black Griffin protective case; a SATA 120GB Western Digital Hard Drive Model; an IDE 20GB Hitachi Hard Drive; and an Alienware Laptop with an unknown make/model hard drive and/or internal memory with the markings of "Made in China" and an embroidered name plate displaying the words "Built for Chris Horton (NINJA).

X Court recommends defendant be placed at USP Marion.

X Governments exhibits admitted and returned to counsel.

X Defendant remanded to the custody of the United States Marshal.